

REMARKS

By Office Action mailed February 16, 2006, the Examiner has entered a five-way restriction requirement: namely, Group I – claims 1-42, drawn to a composition; Group II – claim 43, drawn to a first method of using the composition; Group III – claim 44, drawn to a second method of using the composition; Group IV – claims 45 and 46, drawn to a third method of using the composition; and Group V- claim 47, drawn to a fourth method of using the composition. Applicant hereby elects, without traverse, the Group I claims for examination at this time. In view of this election, claims 43-47 have been cancelled.

In addition, the Examiner has requested that Applicant elect both a specific peptide copper complex and a specific phytochemical compound. Applicant hereby elects, without traverse, the peptide copper complex, glycyl-L-histidyl-L-lysine:copper II (recited in originally filed claim 20) and the phytochemical compound of catechin, a catechin derivative, or a mixture thereof (recited in originally filed claim 4). In view of these elections, (i) claim 1 has been amended to incorporate the limitations of originally filed claims 4 and 20 and (ii) claims 2-4 and 8-22 have been cancelled.

As a final matter, if Applicant has misunderstood the Examiner's restriction (namely, that the election of catechin, a catechin derivative, or a mixture thereof is not sufficient), Applicant is not opposed to electing the subject matter of claim 6 (namely, catechin, a catechin derivative, or a mixture thereof, derived from green tea or comprised in a green tea extract).

In view of the above amendments and remarks, consideration of the pending claims is respectfully requested.

Respectfully submitted,

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